

1 **STATE OF GEORGIA**
2 **COUNTY OF FULTON**
3 **CITY OF SOUTH FULTON**

RES2019-051

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6 **A RESOLUTION BY THE CITY AUTHORIZING THE TRANSFER OF THE**
7 **SOUTHWEST ARTS CENTER AND RELATED PROPERTY TO THE CITY AND FOR**
8 **OTHER LAWFUL PURPOSES**
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10 **WHEREAS**, the City of South Fulton ("City") is a municipal corporation duly
11 organized and existing under the laws of the State of Georgia;

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13 **WHEREAS**, the duly elected governing authority of the City, is the Mayor and
14 Council thereof ("City Council");

15 **WHEREAS**, State law allows for the City to acquire park property from Fulton
16 County at a cost of one hundred dollars per acre;

17 **WHEREAS**, the City and Fulton County have entered into discussions regarding
18 the logistics for the transfer of the Southwest Arts Center parcels and a remainder
19 parcel(s) of the South Fulton Arts Center to the City;

20 **WHEREAS**, the City Council desires to authorize the City Manager, City Attorney
21 and Finance Director to facilitate the City's acquisition of the Same;

22 **WHEREAS**, this Resolution is in the best interests of the health and general
23 welfare of the City, its residents and general public.

24 **THE COUNCIL OF THE CITY OF SOUTH FULTON, GEORGIA, HEREBY**
25 **RESOLVES** as follows:

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27 **Section 1.** The City Council hereby authorizes the City Manager, City Treasurer
28 and City Attorney to facilitate, and the City Manager to execute, the documentation for
29 the transfer of the Southwest Arts Center parcels and remainder parcel(s) of the South
30 Fulton Arts Center from Fulton County to the City, subject to final approval as to the form
31 of such documentation by the City Attorney and at a total combined purchase price which
32 shall not exceed twenty thousand dollars.
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35 **Section 2.** It is hereby declared to be the intention of the City Council that: (a) All
36 sections, paragraphs, sentences, clauses and phrases of this Resolution are or were,

37 upon their enactment, believed by the City Council to be fully valid, enforceable and
38 constitutional.

39 (b) To the greatest extent allowed by law, each and every section, paragraph, sentence,
40 clause or phrase of this Resolution is severable from every other section, paragraph,
41 sentence, clause or phrase of this Resolution. No section, paragraph, sentence, clause
42 or phrase of this Resolution is mutually dependent upon any other section, paragraph,
43 sentence, clause or phrase of this Resolution.

44 (c) In the event that any phrase, clause, sentence, paragraph or section of this Resolution
45 shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise
46 unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is
47 the express intent of the City Council that such invalidity, unconstitutionality or
48 unenforceability shall, to the greatest extent allowed by law, not render invalid,
49 unconstitutional or otherwise unenforceable any of the remaining phrases, clauses,
50 sentences, paragraphs or sections of the Resolution.

51 **Section 3.** The city attorney and city clerk are authorized to make non-substantive
52 editing and renumbering revisions to this Resolution for proofing, codification, and
53 supplementation purposes. The final version of all ordinances shall be filed with the city
54 clerk.

55 **Section 4.** The effective date of this Resolution shall be the date of adoption, unless
56 provided otherwise by the City Charter or state and/or federal law.
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59 THIS RESOLUTION adopted this 24th day of September 2019.

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61 **CITY OF SOUTH FULTON, GEORGIA**

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66 WILLIAM "BILL" EDWARDS, MAYOR

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69 ATTEST:

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73 S. DIANE WHITE, CITY CLERK

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75 APPROVED AS TO FORM:

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79 EMILIA C. WALKER, CITY ATTORNEY



The foregoing RESOLUTION No. 2019-051, adopted on September 24, 2019 was offered by Councilmember Rowell, who moved its approval. The motion was seconded by Councilmember Willis, and being put to a vote, the result was as follows:

	AYE	NAY
William "Bill" Edwards, Mayor	<u> </u>	<u> </u>
Mark Baker, Mayor Pro Tem	<u> X </u>	<u> </u>
Catherine Foster Rowell	<u> X </u>	<u> </u>
Carmalitha Lizandra Gumbs	<u> X </u>	<u> </u>
Helen Zenobia Willis	<u> X </u>	<u> </u>
Gertrude Naeema Gilyard	<u> X </u>	<u> </u>
Rosie Jackson	<u> X </u>	<u> </u>
khalid kamau	<u> X </u>	<u> </u>